

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VIASAT, INC.,

Plaintiff,

vs.

**WESTERN DIGITAL CORPORATION
and WESTERN DIGITAL
TECHNOLOGIES, INC.,**

Defendants.

Case No.: 6:21-cv-01230-ADA

JURY TRIAL DEMANDED

DISCOVERY ORDER

Before the Court are two requests by Plaintiff Viasat, Inc. that Defendant Western Digital Technologies produce additional technical documents relating to the Accused Products. On Issue #1, Viasat requested that Western Digital be ordered to produce Source Code relating to the Accused Products because it argued the existing technical production was insufficient and Source Code would likely provide the necessary additional information. Western Digital opposed, arguing that its technical production was adequate and had complied with the requirements of the OGP. On Issue #2, Viasat requested that Western Digital be ordered to produce technical documents relating to all Accused Products. Western Digital opposed the production of technical documents relating to products that did not contain the Sentinel error-correction system, arguing that Viasat's Amended Complaint and preliminary infringement contentions were limited to Sentinel-containing products, and insufficient with respect to non-Sentinel containing products. Western Digital also filed a cross-motion to strike Viasat's preliminary infringement contentions as to non-

Sentinel containing products. The Court heard argument on July 19, 2022 regarding Plaintiff's requests and Defendant's motion to strike.

ISSUE #1: The Court ORDERS Defendant Western Digital Technologies, Inc. to produce additional technical documents regarding the accused functionality in the form of Source Code for the Accused Products containing the Sentinel error-correction system by 8/2/22, consistent with the provisions of the Protective Order (ECF # 50) entered in this case.

ISSUE #2: The Court DENIES Viasat, Inc.'s request for additional technical documents relating to non-Sentinel containing products without prejudice to Viasat later seeking such documents. The Court DENIES Western Digital Technologies, Inc.'s Opposed Motion to Strike Viasat's Preliminary Infringement Contentions (ECF # 54) without prejudice as moot.

SIGNED this 27th day of July, 2022.


DEREK T. GILLIAND
UNITED STATES MAGISTRATE JUDGE